



3010771

Martin N. Cepkauskas  
Director of Real Estate  
San Francisco Realities  
Sunical Land & Livestock

2005 JUN 27 PM 12:17

5 Third Street, Suite 200  
San Francisco, CA 94103-3202  
Telephone 415 777-8196  
Fax 415 543-3490  
email: mcepkauskas@hearst.com

**VIA CERTIFIED MAIL**

June 24, 2005

State Water Resources Control Board  
Division of Water Rights  
P. O. Box 2000  
Sacramento, CA 95812-2000

**RE: Hearst Holdings – Supplement Statement of Water  
Diversion and Use**

To Whom It May Concern:

Attached are the 2002, 2003, 2004 Supplemental Statement of Water Division  
and Use forms for:

S015383  
S015382  
S010771

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Cepkauskas', with a long horizontal line extending to the right.

Marty Cepkauskas

MC/sgm

Encl.



S010771%\$%2004

2002, 2003, 2004

## SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.

Notify this office if ownership or address changes occur during the coming year.

Please Complete and Return This Form by JULY 1, 2005.

\*If the mail recipient's name, address or phone No. is wrong or missing, please correct.

Owner of Record: HEARST HOLDINGS INC;

## PRIMARY CONTACT OR AGENT FOR MAIL &amp; REPORTING:

HEARST HOLDINGS INC

C/O MARTIN CEPKAUSKAS

5 THIRD ST STE 200

SAN FRANCISCO, CA 94103-3203

STATEMENT NO.: S010771  
CONTACT PHONE NO.: (415)777-8196

Source Name: ARROYO DE LA CRUZ

Tributary To: PACIFIC OCEAN

County: San Luis Obispo

Diversion Within: 1/4 of 1/4 Section 35, T25S, R06E, MB&amp;M

Year of First Use:

Parcel Number:

A. Water is Used Under: Riparian claim ☒ Pre-1914 right \_\_\_\_\_ Other (explain): \_\_\_\_\_B. Year of First Use: (Please provide if missing above) \_\_\_\_\_C. Amount of Use: Enter the amount (or the approximate amount) of water used each month, using the table below.

Amounts below are in: Gallons

Million Gallons (MG)

ONE HUNDRED Acre-feet (AF)

Other

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
2002	X	X	X	X	X	X	X	X	X	X	X	X	X
2003	X	X	X	X	X	X	X	X	X	X	X	X	X
2004	X	X	X	X	X	X	X	X	X	X	X	X	X

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.Irrigation Irrigated Pastures acres; Stockwatering 1000-2000 cattle; Domestic \_\_\_\_\_

Other (specify) \_\_\_\_\_

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed.  
(New pump, enlarged diversion dam, location of diversion, etc.)

F. Please answer only those questions below which are applicable to your project.

## 1. Conservation of water

a. Are you now employing water conservation efforts? YES \_\_\_\_\_ NO ☒  
Describe any water conservation efforts you have initiated: \_\_\_\_\_

b. If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved:

Reduction in Diversions: ,

Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

Reduction in consumptive use:

Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

I have data to support the above surface water use reductions due to conservation efforts. YES \_\_\_\_\_ NO \_\_\_\_\_

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES \_\_\_\_ NO \_\_\_\_
- b. If you are claiming credit due to the substitution of reclaimed water, desalinated water or polluted water in lieu of a claimed pre-1914 appropriative right under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of substitute water supply used:

Amount of reduced diversion:

Year \_\_\_\_ (AF/MG) Year \_\_\_\_ (AF/MG) Year \_\_\_\_ (AF/MG)

State the type of substitute water supply: \_\_\_\_\_

Amount of substitute water supply used:

Year \_\_\_\_ (AF/MG) Year \_\_\_\_ (AF/MG) Year \_\_\_\_ (AF/MG)

I have data to support the above surface water use reductions due to the use of a substitute water supply. YES \_\_\_\_ NO \_\_\_\_

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES \_\_\_\_ NO \_\_\_\_
- b. If you are claiming credit due to the substitution of groundwater for a claimed pre-1914 appropriative right under section 1011.5 of the Water Code, please show the amounts of groundwater used:

Year \_\_\_\_ (AF/MG) Year \_\_\_\_ (AF/MG) Year \_\_\_\_ (AF/MG)

I have data to support the above surface water use reductions due to the use of groundwater. YES \_\_\_\_ NO \_\_\_\_

I understand that it may be necessary to document the water savings claimed in "F" above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: 6/22, 2005 at San Francisco, California

SIGNATURE: \_\_\_\_\_

MARTIN N. CEPKAUSKAS

PRINTED NAME: \_\_\_\_\_

DIRECTOR OF REAL ESTATE  
THE HEARST CORPORATION

(first name)

(middle initial)

COMPANY NAME: \_\_\_\_\_

If there is insufficient space for your answers, please use the space provided below.

ITEM

CONTINUATION


GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.



# State Water Resources Control Board

## Division of Water Rights

1001 I Street, 14<sup>th</sup> Floor • Sacramento, California 95814 • (916) 341-5426  
Mailing Address: P.O. Box 2000 • Sacramento, California • 95812-2000  
FAX (916) 341-5400 • Web Site Address: <http://www.swrcb.ca.gov>  
Division of Water Rights: <http://www.waterrights.ca.gov>  
E-Mail: [siyer@waterrights.swrcb.ca.gov](mailto:siyer@waterrights.swrcb.ca.gov)



Gray Davis  
Governor

Winston H. Hickox  
Secretary for  
Environmental  
Protection

December 12, 2001

In Reply Refer  
to: 341:SI:20026A, 25881, 27126,  
27212, S1238 & S10771

Martin Cepkauskas  
5 Third Street, Suite 200  
San Francisco, CA 94103

Dear Mr. Cepkauskas:

LICENSE 10924A (APPLICATION 20026A), PERMIT 20775 (APPLICATION 27126), PERMIT 20906 (APPLICATION 27212) UNNAMED SPRINGS, STATEMENT 10771 ARROYO DE LA CRUZ, AND PERMIT 19247 (APPLICATION 25881) ARROYO DE LA CRUZ UNDERFLOW IN SAN LUIS OBISPO COUNTY; STATEMENT 1238 UNNAMED SPRING IN SISKIYOU COUNTY

This letter is to follow up your July 2001 letters concerning changes to the mailing address and designation of an agent for the water rights owned by The Hearst Corporation.

Unless notified otherwise within 30 days, we will update our records for ownership of the above referenced appropriate water rights to read as follows:

The Hearst Corporation  
c/o Martin Cepkauskas  
5 Third Street, Suite 200  
San Francisco, CA 94103  
Tel #: (415) 777-8196

### Water Right Reporting:

An appropriate water right permit or license can be reduced or revoked after five continuous years of nonuse, or due to noncompliance with permit or license terms and conditions. To track the status and actual water use under the terms and conditions of the permit or license, we distribute a pre-printed form at regular intervals. You are reminded to expeditiously complete and return the reports to the Division.

If you have any questions, please do not hesitate to write or contact me at (916) 341-5426.

Sincerely,

ORIGINAL SIGNED BY

Sriram Iyer  
Engineering Associate  
Licensing Unit

### California Environmental Protection Agency

"The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>."

SURNAME  
DWR 540

SC  
12/12/01

W. Davis  
12/13/01

## SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.  
Notify this office if ownership or address changes occur during the coming year.

PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1999

OWNER OF RECORD: HEARST CORPORATION

PHILLIP M BATTAGLIA  
555 W FIFTH ST STE 4000  
LOS ANGELES, CA 90013

STATEMENT NO: S010771

SOURCE: ARROYO DE LA CRUZ  
TRIBUTARY TO: PACIFIC OCEAN  
COUNTY: SAN LUIS OBISPO  
DIVERSION

TELEPHONE NUMBER:  
(213) 896-6622  
YEAR OF FIRST USE:  
PARCEL NO:

WITHIN: ¼ OF ¼ SECTION 35, T25S, R6E, MB&M.

- A. Water is used under: Riparian claim \_\_\_\_\_; Pre 1914 right \_\_\_\_\_; Other (explain): \_\_\_\_\_
- B. Year of first use (Please provide if missing above) \_\_\_\_\_
- C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☐ Acre-feet ☐ (other) \_\_\_\_\_

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1996													
1997													
1998													

- D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.  
Irrigation \_\_\_\_\_ acres; Stockwatering \_\_\_\_\_; Domestic \_\_\_\_\_  
Other (specify) \_\_\_\_\_
- E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)  
\_\_\_\_\_  
\_\_\_\_\_
- F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.  
\_\_\_\_\_  
\_\_\_\_\_

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: \_\_\_\_\_, 19 \_\_\_\_ at \_\_\_\_\_, California

SIGNATURE: \_\_\_\_\_

PRINTED NAME: \_\_\_\_\_  
(FIRST NAME) (MIDDLE INIT.) (LAST NAME)

COMPANY NAME: \_\_\_\_\_

See back of page for General Information. If there is insufficient space for your answers, please number them in the space provided on the back of this form.

AUG 23 2000

h



**SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE**

If the information below is inaccurate, please line it out in red and provide current information.  
Notify this office if ownership or address changes occur during the coming year.

99 SEP -1 PM 3:24

DIV. OF WATER RIGHTS  
SACRAMENTO

OWNER OF RECORD: HEARST CORPORATION

PHILLIP M BATTAGLIA  
555 W FIFTH ST STE 4000  
LOS ANGELES, CA 90013

STATEMENT NO: S010771

SOURCE: ARROYO DE LA CRUZ  
TRIBUTARY TO: PACIFIC OCEAN  
COUNTY: SAN LUIS OBISPO  
DIVERSION

TELEPHONE NUMBER:  
(213) 896-6622  
YEAR OF FIRST USE:  
PARCEL NO:

WITHIN: ¼ OF ¼ SECTION 35, T25S, R6E, MB&M.

A. Water is used under: Riparian claim X Pre 1914 right \_\_\_\_\_ Other (explain): \_\_\_\_\_

B. Year of first use (Please provide if missing above) \_\_\_\_\_

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are. Gallons X Acre-feet \_\_\_\_\_ Other \_\_\_\_\_

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
1996	X	X	X	X	X	X	X	X	X	X	X	X	2.3 million
1997	X	X	X	X	X	X	X	X	X	X	X	X	2.3 million
1998	X	X	X	X	X	X	X	X	X	X	X	X	2.3 million

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation \_\_\_\_\_ acres; Stockwatering 400 cattle, Domestic \_\_\_\_\_

Other (specify) \_\_\_\_\_

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Describe any water conservation efforts you may have started: \_\_\_\_\_

b. \_\_\_\_\_

c. If credit toward beneficial use of water under claimed pre 1914 appropriative water right for water not used due to a conservation effort is claimed under section 1011 of the Water Code, please show the amounts of water conserved.

19 \_\_\_\_\_ (af/mg) 19 \_\_\_\_\_ (af/mg) 19 \_\_\_\_\_ (af/mg)

2. Water quality and wastewater reclamation

a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES \_\_\_\_\_ NO X

RECEIVED  
OCT 26 1999  
1090 10000000

STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS  
P.O. BOX 2000, SACRAMENTO, CA 95812-2000  
(916) 657-2170

- b. If credit toward use under a claimed pre 1914 appropriative water right through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of reclaimed water used:

19 \_\_\_\_\_ (af/mg) 19 \_\_\_\_\_ (af/mg) 19 \_\_\_\_\_ (af/mg)

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES \_\_\_\_\_ NO X

- b. If credit toward use under a claimed pre 1914 appropriative right through substitution of groundwater in lieu of appropriated water is claimed under section 1011.5 of the Water Code, please show the amounts of groundwater used:

19 \_\_\_\_\_ (af/mg) 19 \_\_\_\_\_ (af/mg) 19 \_\_\_\_\_ (af/mg)

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: August 5, 19 99 at Los Angeles, California

SIGNATURE: \_\_\_\_\_

PRINTED NAME: Philip M. Battaglia (Agent)  
(first name) (middle init.) (last name)

COMPANY NAME: The Hearst Corporation, Sunical Land & Livestock Division

If there is insufficient space for your answers, please use the space provided below

ITEM	CONTINUATION
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

CENTRAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or divert water which originates in a different watershed, or return flows from use of groundwater.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and per 1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.



SIDLEY & AUSTIN  
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

CHICAGO  
DALLAS  
NEW YORK  
WASHINGTON, D.C.

555 WEST FIFTH STREET  
LOS ANGELES, CALIFORNIA 90013-1010  
TELEPHONE 213 896 6000  
FACSIMILE 213 896 6600

FOUNDED 1866

HONG KONG  
LONDON  
SHANGHAI  
SINGAPORE  
TOKYO

WRITER'S DIRECT NUMBER  
213-896-6653

WRITER'S E-MAIL ADDRESS  
jrockey@sidley.com

August 5, 1999

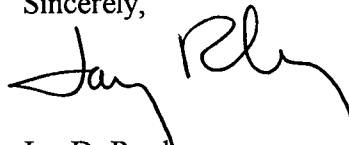
Mr. Gerald E. Johns  
Assistant Division Chief  
Division of Water Rights  
State Water Resources Control Board  
P.O. Box 2000  
Sacramento, California 95812-2000

**Re: Supplemental Statement of Water Diversion and Use No. S010771**

Dear Mr. Johns:

Enclosed please find the Supplemental Statement of Water Diversion and Use No. S010771. Should you have any questions regarding this statement or the use of water thereunder, please do not hesitate to contact the undersigned.

Sincerely,



Jay D. Rockey

JDR:em

Enclosure

cc: Philip M. Battaglia, Esq. (w/encl.)  
Mr. Stephen T. Hearst (w/encl.)

::ODMA\PCDOCS\LOSANGELES\169889\1 August 5, 1999 (3:23pm)

OCT 26 1999  
KOSO WODON

## SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.  
Notify this office if ownership or address changes occur during the coming year.

PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1996

OWNER OF RECORD: HEARST CORPORATION

PHILLIP M BATTAGLIA  
555 W FIFTH ST SUITE 4000  
LOS ANGELES, CA 90013

SOURCE: ARROYO DE LA CRUZ  
TRIBUTARY TO: PACIFIC OCEAN  
COUNTY: SAN LUIS OBISPO  
DIVERSION

WITHIN:  $\frac{1}{4}$  OF  $\frac{1}{4}$  SECTION 35, T25S, R6E, MB&M.

A. Water is used under: Riparian claim X; Pre 1914 right \_\_\_\_\_; Other (explain) \_\_\_\_\_

B. Year of first use (Please provide if missing above) \_\_\_\_\_

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☒ Gallons ☐ Acre-feet ☐ (other) \_\_\_\_\_

YEAR	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT	OCT.	NOV.	DEC	TOTAL ANNUAL
1993	X	X	X	X	X	X	X	X	X	X	X	X	2.3 million
1994	X	X	X	X	X	X	X	X	X	X	X	X	2.3 million
1995	X	X	X	X	X	X	X	X	X	X	X	X	2.3 million

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation \_\_\_\_\_ acres; Stockwatering 400 cattle; Domestic \_\_\_\_\_

Other (specify) \_\_\_\_\_

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)  
None

F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

N/A

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 5/29, 19 96, at San Francisco, California

SIGNATURE: [Signature]

PRINTED NAME: Amory J. Cooke  
(FIRST NAME) (M. NAME) (LAST NAME)

COMPANY NAME: The Hearst Corporation, Sunical Land & Livestock Division

See back of page for General Information. If there is insufficient space for your answers, please number them in the space provided on the back of this form.

[illegible]

There are two principal types of surface water rights in California: riparian and appropriative rights.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available, including the following:

- “Statements of Water Diversion and Use”  
 “Information Pertaining to Water Rights in California”  
 “Water Rights for Stockponds Constructed Prior to 1969”  
 “Appropriation of Water in California”

CY 12-28  
S-10 771

**\*\* PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS \*\***

**STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS  
P.O. BOX 2000 SACRAMENTO, CA 95812-2000**

**SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE**

STATEMENT NO: S010771

OWNER OF RECORD: THE HEARST CORPORATION

Philip M. Battaglia, Esq.  
c/o Sidley & Austin  
555 W. 5th St., Ste. 4000  
Los Angeles, CA 90013

XXXXXXXXXXXXXXXXXXXX  
3XXXXXXXXXXXXXXXXXXXX  
LOS ANGELES, CA 90013

SOURCE: ARROYO DE LA CRUZ  
TRIBUTARY TO: PACIFIC OCEAN  
COUNTY: SAN LUIS OBISPO  
DIVERSION

WITHIN: ¼ OF ¼ SECTION 35, T25S, R6E, MDB&M.

TELEPHONE NUMBER: (213) 896-6622  
YEAR OF FIRST USE:  
PARCEL NO:

1995 JUN -2 AM  
DIV. OF WATER RIGHTS  
SACRAMENTO, CA

(If any of the above information is inaccurate or missing, please correct. Notify this office if ownership or address changes occur during the coming year.)

**COMPLETE AND RETURN THIS FORM BY JULY 1, 1995**

- A. Water is used under: Riparian claim x; Pre 1914 right \_\_\_\_\_; Other (explain) \_\_\_\_\_
- B. Year of first use (Please provide if missing above) \_\_\_\_\_
- C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☒ Gallons ☐ Acre-feet ☐ (other) \_\_\_\_\_

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.	TOTAL ANNUAL
1992	X	X	X	X	X	X	X	X	X	X	X	X	2.3 million
1993	X	X	X	X	X	X	X	X	X	X	X	X	2.3 million
1994	X	X	X	X	X	X	X	X	X	X	X	X	2.3 million

- D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.
- Irrigation \_\_\_\_\_ acres; Stockwatering 400 cattle; Domestic \_\_\_\_\_
- Other (specify) \_\_\_\_\_

**\*\*\* CONTINUE ON BACK PAGE \*\*\***

\*\*\*PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS\*\*\*

- E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

None

- F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

N/A

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: May 5, 1995, 1995, at San Francisco, California

SIGNATURE: [Signature]

The Hearst Corporation

PRINTED NAME: Amory J. Cooke, Vice President  
(FIRST NAME) (M. NAME) (LAST NAME)

COMPANY NAME: Sunical Land and Livestock Division

#### GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

"Statements of Water Diversion and Use"

"Information Pertaining to Water Rights in California"

"Water Rights for Stockponds Constructed Prior to 1969"

"Appropriation of Water in California"

STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS  
P.O. Box 2000  
Sacramento, CA 95812-2000

STATEMENT OF WATER DIVERSION AND USE  
INFORMATION SHEET

STATEMENT NO. 010771

DIVERSION SITE:

OWNER'S NAME The Hearst Corporation, Sunical Division

(FIRST) (MIDDLE) (LAST)  
PARCEL NO. 35, T25S, R6E, MDB & M

PLACE OF USE:

OWNER'S NAME The Hearst Corporation, Sunical Division

(FIRST) (MIDDLE) (LAST)

1. PARCEL NO. \_\_\_\_\_

2. PARCEL NO. \_\_\_\_\_

3. PARCEL NO. \_\_\_\_\_

PERSON OR FIRM TO RECEIVE ALL CORRESPONDENCE AND SUPPLEMENTAL  
STATEMENTS:

OWNER/LESSEE/AGENT/OTHER Esquire

NAME Philip M. Battaglia

(FIRST) (MIDDLE) (LAST)

MAILING ADDRESS c/o Sidley & Austin 555 W. 5th St., Ste. 4000  
Los Angeles, CA 90013

(CITY) (STATE) (ZIP)

TELEPHONE NO. ( 213 ) 896 - 6622

OTHERS USING ABOVE DIVERSION LOCATION:

1. NAME \_\_\_\_\_

(FIRST) (MIDDLE) (LAST)

MAILING ADDRESS \_\_\_\_\_

(CITY) (STATE) (ZIP)

TELEPHONE NO. ( \_\_\_\_\_ ) \_\_\_\_\_ - \_\_\_\_\_

2. NAME \_\_\_\_\_

(FIRST) (MIDDLE) (LAST)

MAILING ADDRESS \_\_\_\_\_

(CITY) (STATE) (ZIP)

TELEPHONE NO. ( \_\_\_\_\_ ) \_\_\_\_\_ - \_\_\_\_\_

☐ ADDITIONAL INFORMATION CONTINUED ON BACK OF PAGE OR ATTACHED

PLEASE USE THE OTHER SIDE TO PROVIDE THE ABOVE INFORMATION FOR  
ADDITIONAL OWNERS OR PLACES OF USE AND CHECK THE ADDITIONAL  
INFORMATION BOX.

**SIDLEY & AUSTIN**  
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

CHICAGO  
NEW YORK  
WASHINGTON, D.C.

555 WEST FIFTH STREET  
LOS ANGELES, CALIFORNIA 90013-1010  
TELEPHONE 213: 896-6000  
FACSIMILE 213: 896-6600

LONDON  
SINGAPORE  
TOKYO

FOUNDED 1866

WRITER'S DIRECT NUMBER

(213) 896-6653

May 25, 1995

State Water Resources Control Board  
Division of Water Rights  
P.O. Box 2000  
Sacramento, California 95812-2000

Attn: Mr. Murt Lininger

Re: Progress Report by Permittee for 1994

Application: AO25881  
Permit No.: 019247

Supplemental Statement of Water Diversion and Use

Statement No.: SO10771

Dear Mr. Lininger:

Enclosed please find the above-referenced Supplemental Statement of Water Diversion and Use and Progress Report by Permittee for 1994 relating to those water rights held by our client, The Hearst Corporation, with respect to its San Simeon property. Please do not hesitate to contact us if you have any questions regarding the enclosed Progress Report and Supplemental Statement.

Very truly yours,

  
Philip M. Battaglia

PMB:em  
Enclosures

JDR95C60.SEL (5/25/95 11:57am)

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS  
STATEMENT OF WATER DIVERSION AND USE  
(This is not a Water Right)  
This statement should be typewritten or legibly written in ink.

10773

82 APR -7 AM 9:10  
DIVISION OF WATER RIGHTS  
SACRAMENTO

STATE WATER RESOURCES  
CONTROL BOARD

A. Name of person diverting water Hearst Corporation Sunical Division  
Address \_\_\_\_\_ Telephone: \_\_\_\_\_

B. Name of body of water at point of diversion Arroyo de la Cruz  
Tributary to Pacific Ocean

C. Place of diversion 1/4 Section 35 Township 25S Range 6E M.D. B&M,  
San Luis Obispo County, or locate it on sketch of section grid on reverse side with regard to section  
lines or prominent local landmarks.

D. Name of works Wells as shown on attached map

E. Capacity of diversion works 20 GPM estimated total capacity

gallons per second  
gallons per minute  
gallons  
acre-feet

Capacity of storage reservoir N/A

State quantity of water used each month in gallons or acre-feet

(SEE ATTACHED MAP)

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
	X	X	X	X	X	X	X	X	X	X	X	X	2.2 Million Gallons

If monthly and annual use are not known, check months in which water was used. State extent of use in  
units, such as acres of each crop irrigated, average number of persons served, number of stock watered, etc.  
400 head of cattle at 15 gallons per head per day

Maximum annual water use in recent years unknown

gallons  
acre-feet  
gallons  
acre-feet

Minimum annual water use in recent years unknown

Type of diversion facility: gravity \_\_\_\_\_, pump X

Method of measurement: weir \_\_\_\_\_, flume \_\_\_\_\_, electric power meter \_\_\_\_\_, water meter \_\_\_\_\_, estimate X

F. Purpose of use (what water is being used for) Stockwatering - 400 head cattle

G. General description or location of place of use (use sketch of section grid on reverse side if you desire)  
Within Arroyo de la Cruz water shed (see attached map)

H. Year of first use as nearly as known \_\_\_\_\_

I. Name of person filing statement \_\_\_\_\_

Position \_\_\_\_\_ Organization \_\_\_\_\_

Address \_\_\_\_\_ Telephone: \_\_\_\_\_

I declare under penalty of perjury that the above is true and correct to the best of my knowledge and belief.  
DATED: \_\_\_\_\_, 19\_\_\_\_, California.

Signature: A. J. Cooke, Vice President

See Instructions on Reverse Side

DATED: \_\_\_\_\_

3-002-26-00

E. Brennan Zerbe, Jr., Asst. Secretary